BILL NO. Z-87-11-17

ZONING MAP ORDINANCE NO. Z-30-87

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K-6.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M-2 (General Industrial) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Lot #13 and the West 20 feet of Lot #14 in Hattendorf's Addition to the City of Fort Wayne,

and the symbols of the City of Fort Wayne Zoning Map No. K-6, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Janet G. Bradbury
Councilmember

APPROVED AS TO FORM AND LEGALITY:

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Bradbury, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee Regulation (and the Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on [illegible], the 11 day of [illegible], 19[illegible], at [illegible] o'clock [illegible].M.

DATE: 11-24-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8			1	
BRADBURY	C				
BURNS	C				
EISBART				C	
GiaQUINTA	C				
HENRY	C				
REDD	C				
SCHMIDT	C				
STIER	C				
TALARICO	C				

DATE: 12-22-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ordinance ORDINANCE (RESOLUTION) NO. 3-30-87

on the 22nd day of December, 1987

ATTEST: Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 23rd day of December, 1987

at the hour of 11:00 o'clock A.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 23rd day of December 1987, at the hour of 1:30 o'clock P.M.,E.S.T.

WIN MOSES, JR., MAYOR

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

Ck # 3927

RECEIPT

No 2729

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 8/26 19 87

RECEIVED FROM Hayes, Swift & al $ 50.00

THE SUM OF fifty 00/100 DOLLARS

ON ACCOUNT OF rezoning 918 Harmon St.

AUTHORIZED SIGNATURE

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

THIS IS TO BE FILED IN DUPLICATE

DATE FILED _____

INTENDED USE _____

I/We William H. Kaiser and Hazel C. Kaiser
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-3 District to a/an M-2 District the property described as follows:

Lot 13 and the West 20 feet of Lot 14 in Hattendorf's Addition to the City of Fort Wyane

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED: 918 Herman, Fort Wayne, Indiana

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
William H. Kaiser	701 Sherman Blvd. Fort Wayne, IN 46808	William H. Kaiser
Hazel C. Kaiser	"	Hazel C. Kaiser

(If additional space is needed, use reverse side.)

Legal Description checked by _____.
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinanc being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whic it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matt for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip Code)	(Telephone Number)
William D. Swift	590 Lincoln Tower Fort Wayne, IN 46802	423-4422

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearin approximately ten (10) days prior to the meeting.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 24, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-11-17; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 16, 1987.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held November 23, 1987.

Certified and signed this
1st day of December 1987.

Robert Hutner
Secretary

ORIGINAL

Admn. Appr. _____

COUNCILMANIC DISTRICT No. ____ DIGEST SHEET ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 918 Herman Street

Z-87-11-17

EFFECT OF PASSAGE Property is presently zoned R-3 - Multi -Family Residential District. Property will become M-2 - General Industrial District.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multi-Family Residential District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

FACT SHEET

Z-87-11-17
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE: Zoning Ordinance Amendment From R-3 to M-2

APPROVAL DEADLINE:

REASON:

DETAILS

Specific Location and/or Address

918 Herman Street

Reason for Project

Future storage and office use.

Discussion (Including relationship to other Council actions)

16 November 1987 - Public Hearing

William Swift, attorney for the petitioners, stated that they had also submitted a development plan because this property is in the Rivergreenway Overlay District. He stated that there is a fence erected on the common property to the west, which prevents them from doing any landscaping. He stated that this property is occupied by Kaiser Tool Company, which is a manufacturer of very small tools. He stated that there is very little activity in the plant; no noise generated, no outside storage, no smoke. He stated it is a very well maintained facility. He stated that Mr. Kaiser presently uses the property in question for his office and for research. He stated that he may want to in the future use the property for storage and office space.

Gerry Deal, President of the Hamilton Association stated that they have no objection to the request providing that the petitioners abide by the Comprehensive Plan for the area and the recommendations of the Plan Commission and that they continue

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) William & Hazel Kaiser City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	[X] For [ ] Against Reason Against
Board or Commission Recommendation	By [X] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

DETAILS

to maintain the neat and clean appearance of the area and not to extend out further into the residential area. She stated that the Kaiser's have been very good neighbors and they endorse their request.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

23 November 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

Of the nine member present 8 voted in favor of the motion one (1) did not vote.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** 26 August 1987

Projected Completion or Occupancy **Date** 1 December 1987

Fact Sheet Prepared by **Date** 1 December 1987

Patricia Biancaniello

Reviewed by **Date** December 10, 1987

Gary Barto

Reference or Case Number

BILL NO. Z-87-11-17

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of Fort Wayne Zoning Map No. K-6

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (~~RESOLUTION~~)

YES		NO
	JANET G. BRADBURY CHAIRPERSON	
	CHARLES B. REDD VICE CHAIRMAN	
	THOMAS C. HENRY	
	PAUL M. BURNS	
	BEN A. EISBART	

CONCURRED IN 12-22-87

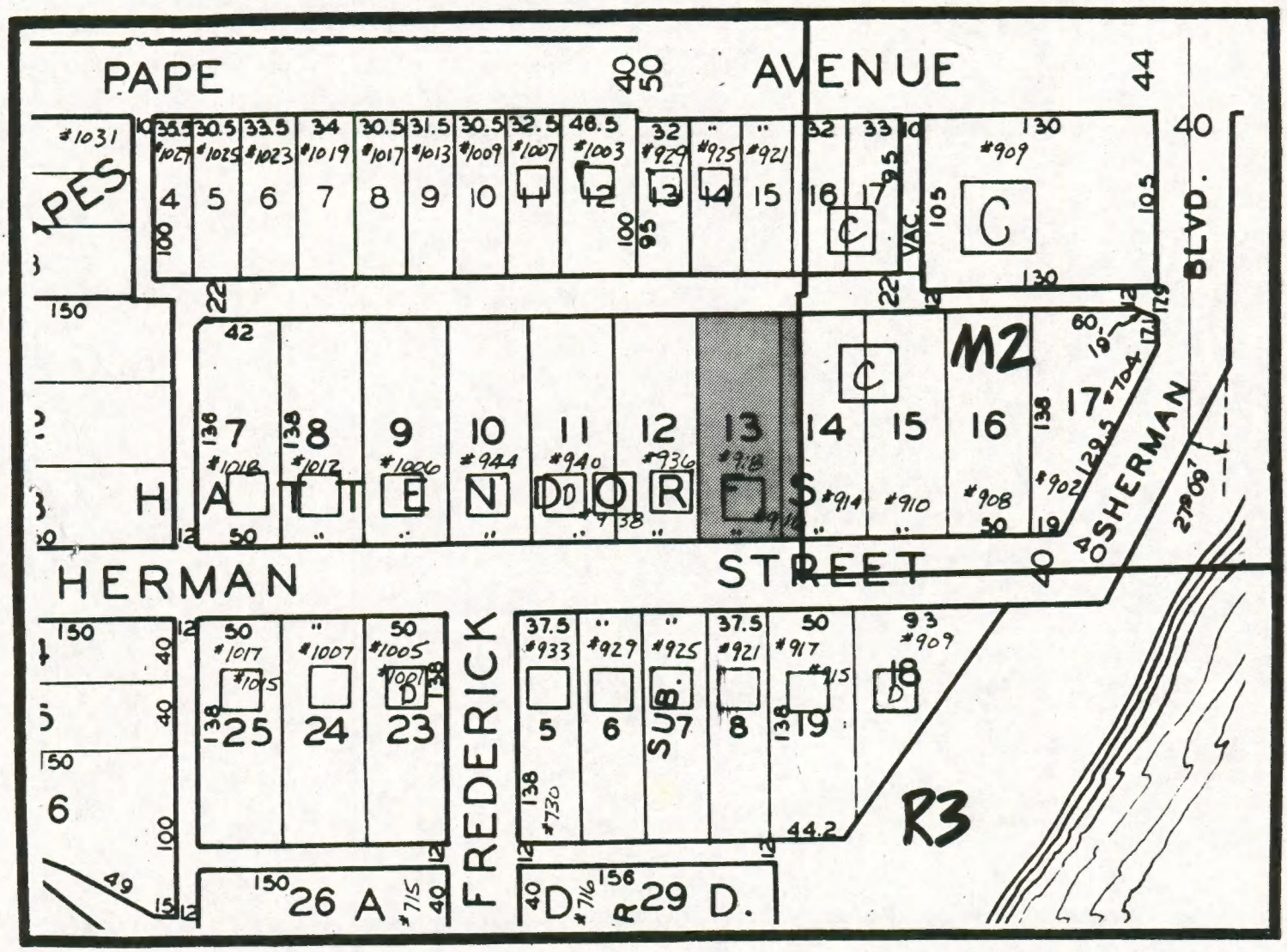
SANDRA E. KENNEDY
CITY CLERK

REZONING PETITION #303

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A R-3 DISTRICT TO A M-2 DISTRICT.

MAP NO. K-6

COUNCILMATIC DISTRICT NO. 4



ZONING:

M2 GENERAL INDUSTRY

R3 RESIDENTIAL DISTRICT

LAND USE:

- ☐ SINGLE FAMILY
- [D] DUPLEX
- [C] COMMERCIAL

L.W.

N

SCALE: 1" = 100'

DATE: 10-2-87